

[counsel listed on following page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZOYA KOVALENKO,

Plaintiff,

v.

KIRKLAND & ELLIS LLP, MICHAEL DE
VRIES, MICHAEL W. DE VRIES, P.C.,
ADAM ALPER, ADAM R. ALPER, P.C.,
AKSHAY DEORAS, AKSHAY S. DEORAS,
P.C., AND MARK FAHEY,

Defendants.

Case No. 4:22-CV-05990-HSG

**STIPULATION AND ORDER TO
ENLARGE TIME TO FILE ANSWER**

[N.D. CAL. CIV. L.R. 6-2]

1 LYNNE C. HERMLE (STATE BAR NO. 99779)
lchermle@orrick.com
2 JOSEPH C. LIBURT (STATE BAR NO. 155507)
jliburt@orrick.com
3 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
4 Menlo Park, CA 94025-1015
Telephone: +1 650 614 7400
5 Facsimile: +1 650 614 7401

6 KATE JUVINALL (STATE BAR NO. 315659)
kjuvinall@orrick.com
7 ORRICK, HERRINGTON & SUTCLIFFE LLP
355 S. Grand Ave., Suite 2700
8 Los Angeles, CA 90071
Telephone: +1 213 629 2020
9 Facsimile: +1 213 612 2499

10 MARK THOMPSON (Admitted *pro hac vice*)
mthompson@orrick.com
11 ORRICK, HERRINGTON & SUTCLIFFE LLP
51 W 52nd St.
12 New York, NY 10019
Telephone: +1 212 506 5000
13 Facsimile: +1 212 506 5151

14 Attorneys for Defendants
15 KIRKLAND & ELLIS LLP, MICHAEL DE VRIES, MICHAEL W. DE VRIES, P.C., ADAM
ALPER, ADAM R. ALPER, P.C., AKSHAY DEORAS, AKSHAY S. DEORAS, P.C., AND
16 MARK FAHEY

17 Zoya Kovalenko
18 13221 Oakland Hills Blvd., Apt. 206
Germantown, MD 20874
19 zoyavk@outlook.com

20 Plaintiff Zoya Kovalenko
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Defendants Kirkland & Ellis LLP (“K&E”), Michael De Vries, Michael W. De Vries, P.C., Adam Alper, Adam R. Alper, P.C., Akshay Deoras, Akshay S. Deoras, P.C., and Mark Fahey (the “Individual Defendants”, collectively with K&E, the “Defendants”), and Plaintiff Zoya Kovalenko (“Plaintiff”) (Plaintiff and Defendant collectively, the “Parties”), hereby stipulate as follows:

WHEREAS, Plaintiff, a former IP litigation associate with K&E, filed a Complaint in October 2022 against Defendants and Leslie Schmidt and Leslie Schmidt, P.C. (the “Schmidt Defendants”) alleging claims for: (1) sex discrimination in violation of Title VII; (2) sex discrimination in violation of FEHA; (3) sex discrimination in violation of San Francisco Ordinance; (4) sex discrimination in violation of Federal Equal Pay Act; (5) retaliation in violation of Title VII; (6) retaliation in violation of FEHA; (7) retaliation in violation of San Francisco Ordinance; (8) sex harassment constituting hostile work environment in violation of Title VII; (9) failure to prevent discrimination and retaliation; (10) defamation; (11) intentional infliction of emotional distress; and (12) negligent infliction of emotional distress. Dkt. 1.

WHEREAS, K&E filed a motion to dismiss Plaintiff’s Complaint on December 16, 2023 (Dkt. 24) and the Individual Defendants and former Defendants Leslie Schmidt and Leslie Schmidt, P.C. each filed a motion to dismiss Plaintiff’s Complaint on December 19, 2023 (Dkt. 30, 31, 34-36).

WHEREAS, on August 23, 2023, the Court granted the motions to dismiss in part and the Court ordered Plaintiff to file any amended complaint within 28 days of its Order. Dkt. 92 at 27.

WHEREAS, on September 20, 2023, Plaintiff filed her first amended complaint (the “FAC”).

WHEREAS, the FAC is 312 paragraphs and 104 pages long.

WHEREAS, Defendants’ current deadline to respond to the FAC is October 4, 2023, 14 days from the date of filing of the FAC.

WHEREAS, the Defendants state they require an additional 14 days to prepare their answer to the FAC due to the length of the FAC.

WHEREAS, the previous time modifications in this case are as follows:

- A stipulation to specially set the briefing schedule on Defendants’ motions filed in response to Plaintiff’s original Complaint was filed on December 20, 2022 (Dkt. 43) and granted on December 21, 2022 (Dkt. 44).
- A stipulation to extend deadlines to comply with initial discovery obligations pursuant to General Order No. 71 and to set the briefing schedule for Defendants’ Anti-SLAPP Motion was filed on January 9, 2023 (Dkt. 59) and granted on January 10, 2023 (Dkt. 61).
- A stipulation under Civil Local Rule 6-1(a) to extend time for Plaintiff to object/respond to K&E’s first sets of interrogatories and requests for production from September 7, 2023 to October 9, 2023 was filed on August 30, 2023 (Dkt. 93).

WHEREAS, the brief extension of time requested here would have no effect on the schedule for this case.

IT IS HEREBY STIPULATED by the Parties that the deadline for Defendants to file an answer to the FAC is extended 14 days to October 18, 2023.

Respectfully submitted,

Dated: September 26, 2023

MARK R. THOMPSON
Orrick, Herrington & Sutcliffe LLP

By: /s/ Mark R. Thompson
MARK R. THOMPSON
(admitted *pro hac vice*)
Attorneys for Defendants

Dated: September 26, 2023


Plaintiff Zoya Kovalenko

By: /s/ Zoya Kovalenko
ZOYA KOVALENKO
Plaintiff Zoya Kovalenko

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 9/27/2023


HAYWOOD S. GILLIAM, JR.
United States District Judge